State of Illinois County of Cook	SS	Before the Industrial Commission of Illinois
Naomi Treece, Petitioner v. Lyons Township High School Respondent	)	No. 81 WC 595

DECISION AND OPINION ON REVIEW

Petitioner appeals the Decision of Arbitrator Galicia finding in a proceeding subsequent to prior proceedings under §19(b) of the Workers' Compensation Act, that as the result of accidental injuries arising out of and in the source of her employment on November 17, 1980, Petitioner was temporarily totally disabled for an additional period of 70 weeks, but failed to prove that a causal relationship exists between Petitioner's accidental injuries of November 17, 1980 and her condition of ill-being and need for medical services subsequent to November 12, 1982 or that she sustained any permanent disability or is entitled to any additional compensation under §19(k) or §19(l) of the Act and attorneys' fees under of the Act. The threshold issue on Review is whether a causal relationship exists between Petitioner's accidental injuries of November 17, 1980 and her present condition of ill-being and need for medical services. The Commission, after considering the entire record, affirms the Decision of the Arbitrator for the reasons set forth below.

FINDINGS OF FACT AND CONCLUSIONS OF LAW.

The Commission finds:

1. The Arbitrator made findings and conclusions (attached) which the Commission hereby adopts.

2. The Commission notes that on Review the parties agreed to admit as joint exhibit 1 on Review, the evidence deposition of Dr. Mullan, and joint exhibit 2 on Review, the transcript of the

February 25, 1985 hearing at Arbitration at which Dr. Garron testified, which erroneously was not previously transcribed.

3. Dr. Garron, a clinical psychologist, who examined Petitioner on October 24, 1981, at the request of Dr. Shanker, testified that Petitioner was suffering from a severe emotional disturbance, that was characterized by emotional lability with both alternation and simultaneous intrusion of euphoria and painful agitation. He recommended that Petitioner receive psychiatric care and made no causal connection between Petitioner's accident injuries of November 17, 1980 and her current emotional condition.

4. Dr. Mullan, Petitioner's treating physician, released her to return to work on November 11, 1982 but Petitioner has not attempted to find employment. Ruth Owens, Respondent's rehabilitation specialist, tried to assist Petitioner's return to work but Petitioner was uncooperative with rehabilitation efforts.

5. The Commission notes that the Arbitrator specifically relied upon the opinion of Dr. Glista, a board certified neurologist, who examined Petitioner on September 13, 1984 at Respondent's request. He diagnosed severe depression and probably underlying personality disorder. Dr. Glista opined based on a reasonable degree of medical and surgical certainty that Petitioner's accidental injuries of November 17, 1980 were not related to her present condition of ill-being and that it was not plausible that the November 17, 1980 accident aggravated Petitioner's depression for a period of four years.

Based on the above, the Commission affirms the Decision of the Arbitrator.

IT IS THEREFORE ORDERED BY THE COMMISSION that the Decision of the arbitrator dated June 25, 1986 is hereby affirmed.

IT IS FURTHER ORDERED BY THE COMMISSION that the Respondent shall have credit for all amounts paid, if any, to or on behalf of the Petitioner on account of said accidental injury.

The probable cost of the record to be filed as return to Summons is the sum of $35.00 payable to the Industrial Commission of

Illinois in the form of cash, check or money order therefor and deposited with the Office of the Secretary of the Commission.

Dated: October 20, 1987 Richard Gilgis

PS/lcw Douglas Holland